

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Juergen Frosien

Serial No.: 10/550,177

Confirmation No.: Unassigned

Filed: September 21, 2005

For: Charged Particle Beam
Device With Detection Unit
Switch and Method of
Operation Thereof§
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§
§
§
§
§International Application No.:
PCT/EP04/02841International Filing Date:
March 18, 2004

Priority Date: March 24, 2003

MAIL STOP PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATE OF MAILING 37 CFR 1.8 I hereby certify that this correspondence is being deposited on <u>6/7</u> , 2006, with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450. <u>6/7/06</u> <u>Keith M. Tackett</u> Date Keith M. Tackett	
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**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Applicant files this Response to a Notification of Missing Requirements (Form PCT/DO/EO/905 (371 Formalities Notice)), mailed May 11, 2006, within the two-month period set to expire on July 11, 2006. The notice (copy enclosed) indicates that the application was filed without Oath or Declaration.

Enclosed for filing in the above-referenced application is an authorization for payment of the surcharge and the signed Combined Declaration and Power of Attorney in response to the missing requirements request.

Authorization to charge \$130.00 as payment of the surcharge associated with this Communication and Response is given in a separate fee transmittal.

06/16/2006 ATRAN1 00000150 200782 10550177
01 FC:1617 130.00 DA

Respectfully submitted,

Keith M. Tackett
Keith M. Tackett
Registration No. 32,008
PATTERSON & SHERIDAN, L.L.P.
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Attorney for Applicant(s)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL
for FY 2006**☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT**

(\$ 130.00)

Complete if Known

Application Number	10/550,177
Filing Date	I.A. FILING DATE 03/18/2004
First Named Inventor	JUERGEN FROSIEEN
Examiner Name	UNASSIGNED
Art Unit	UNASSIGNED
Attorney Docket No.	ZIMR/0023

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify) :☒ Deposit Account Deposit Account Number: 20-0782/ZIMR/0023/KMT. Deposit Account Name: Patterson & Sheridan, L.L.P.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☐ Charge any additional fee(s) or underpayments of fee(s) ☒ Credit any overpayments

Under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee(\$)	Fee(\$)	Small Entity Fee(\$)	Fee(\$)	Small Entity Fee(\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description		Small Entity	
Fee Description	Fee (\$)	Fee (\$)	Fee (\$)
Each claim over 20 (including Reissues)	50	25	
Each independent claim over 3 (including Reissues)	200	100	
Multiple dependent claims	360	180	
Total Claims			
_____ -20 or HP= _____ x _____ = _____			
HP = highest number of total claims paid for, if greater than 20.			
Indep. Claims			
_____ - 3 or HP= _____ x _____ = _____			
HP = highest number of independent claims paid for, if greater than 3.			

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____	/ 50 = _____	(round up to a whole number) x		= _____

4. OTHER FEE(S)


Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge) : late filing surcharge

Fees Paid (\$)

130.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	32,008	Telephone	(713) 623-4844
Name (Print/Type)	Keith M. Tackett	Date	6/7/06		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/550,177	Juergen Frosien	ZIMR/0023

26290
 PATTERSON & SHERIDAN, L.L.P.
 3040 POST OAK BOULEVARD
 SUITE 1500
 HOUSTON, TX 77056

INTERNATIONAL APPLICATION NO.	
PCT/EP04/02841	
I.A. FILING DATE	PRIORITY DATE
03/18/2004	03/24/2003

CONFIRMATION NO. 5338

371 FORMALITIES LETTER



OC000000018751552

Date Mailed: 05/11/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/21/2005
- Copy of the International Search Report filed on 09/21/2005
- Preliminary Amendments filed on 09/21/2005
- Information Disclosure Statements filed on 09/21/2005
- Oath or Declaration filed on 09/21/2005
- U.S. Basic National Fees filed on 09/21/2005
- Priority Documents filed on 09/21/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/550,177	PCT/EP04/02841	ZIMR/0023

FORM PCT/DO/EO/905 (371 Formalities Notice)

